



Natural Resources Conservation Service
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March 26, 2008

UTAH BULLETIN UT300-08-14

SUBJECT: LTP- PROGRAM CONTRACTING SYSTEM (PROTRACTS) CONTRACT EVALUATIONS

Purpose: To provide additional guidance on conducting FY08 Contract Reviews

Expiration Date: September 30, 2008

ACTION REQUIRED BY: SEPTEMBER 1, 2008

Contract evaluation is the “follow-up” part of the conservation planning process. **DCs will review contract implementation annually, adhering to policy set forth in 440 CPM, Part 512.55 (Contract Reviews).** ASTC-FOs will notify the State Conservationist by September 1, 2008, that all field offices have completed the review of their ProTracts contracts utilizing the “Contract Review Module” in Protracts, including completing all Quality Assurance activities (below) associated with contract reviews performed by Non-NRCS representatives.

For CSP only: A self-assessment verification of the conservation stewardship plan and contract is required as soon as practical after CSP contract approval. Refer to 440-CPM Section 512.55 A-C for Conservation Program Contracting (CPC) manual guidance on contract reviews.

If all contract provisions are being followed and implementation is on schedule:

1. Document contract status in the contract review module.

If the practice application is not on schedule or provisions of the contract are not being followed:

1. The NRCS representative will review with the participant and document the specific cause of the potential contract violation findings on Form NRCS-CPA-13 (attached), citing the contractual basis for the potential violation.
2. When contract items cannot be completed in the year scheduled but will be completed not later than one year after the originally planned year, a contract modification in Protracts will not be required to delay the practice. This provision shall be noted on a formal contract review using form NRCS-CPA-13.

3. The DC will work with the participant(s) to resolve all issues and document all actions that need to be taken to complete the contract, including establishing a reasonable timeframe for the participant to comply with the contract provisions. **Repeat modifications to reschedule practices are not allowed.** The DC will also provide a notification of the consequences of failure by the participant to remedy the potential contract violation.

The attached “*Corrective Action Plan Covering Non-Compliance with Provisions of Contract*” shall be used for this purpose, and signed by the Contracting Officer, District Conservationist, and the participant. A copy will be provided to the participant, and the original will be placed in the contract folder.

4. If the participant cannot or will not complete the contract obligations as previously agreed to, follow the procedures established in CPC and Utah policy to terminate the contract. The participant may voluntarily request cancellation in writing.
5. The contract review will be signed by the NRCS representative completing the review. When the NRCS representative is a person other than the Designated Conservationist (DC), both the reviewing representative and DC will sign Form CPA-13. A copy will be provided to the participant, and the original will be placed in the contract folder.

DCs will elevate all “non-typical” situations to their respective Area Programs Specialist and ASTC-FO.

Quality Assurance of Non-NRCS persons performing Contract Reviews

DCs shall perform a minimum ten percent (10%) Quality Assurance Reviews (QAR) on all Non-NRCS persons performing Status Reviews. They shall report completion of the QARs to the ASTC-FO. ASTC-FOs shall provide a written report to the State Conservationist, stating completion, any/all deficiencies noted, and any/all actions taken.

Elements to be Reviewed

The following elements will be reviewed annually in Protracts:

- **ProTracts Data.** If data is not correct, such as cost/unit, or incorrect cost-share rate, a modification will be done to correct the data.
- **Correct status in ProTracts.** If all contract items have been completed, ProTracts will show a status of “completed” for the contract. *“Completed” status is determined by all contract items being certified complete, not by contract expiration.*

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- ▶ **Applicable CCC-1200/1202** is in the contract folder, signed and dated. Signatures are in place and in the correct sequence (ie, participant signs before the CO.)
- ▶ **Implementation of practices is on schedule and all contract terms and conditions are being met.**

Elements that will be annually reviewed with CPC participants include the following:

- ▶ Success of practices and systems completed.
- ▶ Operation and maintenance of practices and systems completed.
- ▶ Location and condition of all portable equipment purchased with CPC assistance.
- ▶ Confirmation that at least the benchmark level of treatment is maintained (CSP).
- ▶ Status of practices not completed.
- ▶ Reasons for lack of progress.
- ▶ Need for revision of the conservation plan schedule of operations.
- ▶ Description of any potential violations of the CPC.
- ▶ Confirmation that participants still control all land under contract.

Contact: Please forward feedback and questions through the Area Programs Specialist to Lisa R. Coverdale, Assistant State Conservationist for Programs at lisa.coverdale@ut.usda.gov.

/S/

SYLVIA A. GILLEN
State Conservationist

Attachments

Distribution: E